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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 SERGEI SPITSYN,
11 Plaintiff,
12 v.
13 RICHARD MORGAN, *et al.*,
14 Defendants.

Case No. C06-5134 FDB
ORDER ADOPTING REPORT
AND RECOMMENDATION
DENYING APPLICATION TO
PROCEED *IN FORMA*
PAUPERIS

16 The Court, having reviewed the Report and Recommendation, plaintiff's application to proceed *in*
17 *forma pauperis* and the remaining record, hereby finds and ORDERS:

- 18 (1) The Magistrate Judge's Report and Recommendation is approved and adopted;
19 (2) Plaintiff's application to proceed *in forma pauperis* is DENIED; and
20 (3) The Clerk is directed to send directed to send a copy of this Order to petitioner.

22 DATED this 14th day of June, 2006.

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25 FRANKLIN D. BURGESS
26 UNITED STATES DISTRICT JUDGE
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